



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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) Confirmation No.: 4196  
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) Group Art Unit: 2884  
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) Examiner: David S. Baker  
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Sir:

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Some of the cited non-U.S. documents listed on the attached PTO Form 1449 are in a language other than English. The relevance of these documents can be understood from at least the attached English-language Abstracts, the citation of the documents in the attached European Search Report dated January 25, 2006, and/or the citation of the documents in the International Search Report dated July 20, 2004.

While the International Search Report and European Search Report additionally cite document 55-165687, this document is not listed on the attached PTO Form 1449 because it was previously-cited in this application in an IDS on January 25, 2007.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art". If it should be determined that the listed documents do not constitute "Prior Art" under the United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENIONS OF TIME** in accordance with 37 C.F.R. § 1.13(a)(3).

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**



By:

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Dated: January 31, 2008

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